

REMARKS

Further consideration of this application courteously is solicited. Specifically, further consideration of this application is solicited along with the submission of a Request for Continued Examination and this Amendment accompanying the Request as the required submission therewith. Claims 34 and 38 are active. Both claims 34 and 38 have been amended further hereby.

Initially, Applicants express their sincere appreciation for the interview that transpired on August 29, 2005. Examiners Brenda Lamb and Fred Parker kindly discussed this application, together with its copending, parent application (Application No. 09/498,749). The interview was very important in discussing the rejections based upon 35 USC § 112 which will be covered below. The rejection of claim 34 under the first paragraph of § 112 will be considered first, followed by consideration of the rejection of claims 34 and 38 under the second paragraph of § 112.

Claim 34 was rejected in the June 16, 2005 Office Action under the first paragraph of 35 USC § 112 as failing to comply with the written description requirement. Claim 34 has been amended herein in order to clarify how the subject matter thereof indeed complies with the requirements of § 112.

The manner of operation was discussed at length during the interview. The discussion focused on pages 7 through 9 of Applicants' specification. Pages 7 through 9 describe Applicants' first embodiment. Note from page 6 and the brief description of Figures 1 and 2, that both Figures 1 and 2 relate to Applicants' first embodiment. The apparatus form of this embodiment is more generally shown in Figure 1, with a detailed depiction of the "intermittent means 100" shown in Figure 2. The intermittent means includes feeding side two-way valve 10, and a return side two-way valve 11.

For convenience, a timing diagram is appended to this paper as Exhibit 1. Reference will be made to Exhibit 1 at the same time as to the operation discussed on pages 8 and 9 of the specification, Figure 2, and amended claim 34. In Exhibit 1, time, T_1 , illustrates a time during application of coating to the base material. Feeding side valve 10 is open while return side valve 11 remains closed. This results in sustained discharging of paint to "said nozzle" as described in claim 34, but no discharge to the return side. Now, we are ready to consider cut-off of paint feeding to the nozzle. Page 9, the third full paragraph, describes that "at a coating end time," the feeding side valve be switched (closed) earlier than switching (opening) the return side valve. This is denoted by T_2 in Exhibit 1. The same paragraph on page 9 now specifically teaches that the return side valve be switched 0 msec-100 msec after closing of the feeding side valve. Exhibit 1 thus depicts time, T_3 , as the time that the return side valve is switched (to open). Now turn to step (i) of amended claim 34.

Reference is made to the paragraph bridging pages 8 and 9 of the specification. This paragraph discusses particulars of coating restart. According to this paragraph, and steps (ii) and (iii) of claim 34, switching of the feeding side valve (that is the start of "discharging paint to said nozzle") occurs before switching of the return side valve (from opened to closed), by anywhere from 5 msec to 500 msec. Accordingly, in Exhibit 1, the restart of discharging of paint to the nozzle (opening of the feeding side valve) at T_4 is shown before closing of the return side valve at T_5 . Now, according to the fourth paragraph of page 8, and the same bridging paragraph of pages 8 and 9, actual coating of the base material, that is actual application of the paint to the base material, begins after the return side valve 11 has been closed. This, of course, also is depicted at time, T_5 in Exhibit 1. The Exhibit shows paint application continuing through T'_1 .

When it is time again to stop application of paint, we consider step (iv) of claim 34. This step simply calls for stopping of "discharging said paint to said nozzle." It is shown at time, T'_2 , in Exhibit 1. Here again, note that the paragraph bridging pages 8 and 9 instructs that the return side valve not be switched (reopened) until a predetermined time, 5 msec to 500 msec, after such stopping of discharging to the nozzle. This is described generally in step (v) and depicted in

Exhibit 1 as time, T_3 . Note that the paint coating in Exhibit 1 has a “rising edge” occurring simultaneously with the closure of return side valve 11. Hence, as required by claim 34, there is a simultaneous, finite time during which paint is being discharged to the nozzle (the feeding side valve is open) and during which the return side valve is open. This is the period depicted between times T_2 and T_3 , and T'_2 and T'_3 in Exhibit 1.

Beginning at the paragraph bridging pages 8 and 9, Applicants describe the reason for this time period between T_2 and T_3 (and between T'_2 and T'_3). As mentioned above, Applicants define this period as not shorter than 5 msec, and not longer 500 msec. As Applicants describe, the return side valve 11 should not be switched (closed) either too early, or too late. Otherwise, as discussed in the first full paragraph on page 9, the starting edge of the applied coating will be too thick, or as discussed in the second full paragraph on that page, the starting edge will be too thin.

From the foregoing, Applicants respectfully urge that claim 34 is supported fully by the original specification. By the foregoing, support has been demonstrated for all five enumerated steps of the claim. The claim thus is submitted as complying with the written description requirement.

Next, the rejection of claims 34 and 38 under the second paragraph of § 112 likewise is traversed. As to claim 34, the above comments in connection with the 35 USC § 112 first paragraph rejection are submitted as explaining Applicants' invention in a way demonstrating that claim 34 is definite. As to claim 38, this claim has been amended generally to provide a nexus with the steps introduced in claim 34.

For at least the foregoing reasons, Applicants courteously submit that all of the active claims are in full compliance with the requirements of 35 USC § 112. As such, both rejections as alleged in the June 16, 2005 Action under 35 USC § 112 should be withdrawn. Action in this regard respectfully is solicited.

Applicants note that previous rejections on the basis of alleged prior art have been withdrawn. Applicants respectfully submit that the amended claims are patentable over the art of record.

Applicants respectfully submit that this Amendment and the above remarks obviate all outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application earnestly is solicited.

If any fees under 37 C.F.R. §§1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300; Order No. 033216.0381. If an extension of time under 37 C.F.R. §1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 02-4300; Order No. 033216.0381.

Respectfully submitted,
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